

Certificate of Notice Page 1 of 4
 United States Bankruptcy Court
 Eastern District of Pennsylvania

In re:
 Pearl M. Speaks
 Debtor

Case No. 15-17899-elf
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2

User: Stacey
 Form ID: pdf900

Page 1 of 1
 Total Noticed: 6

Date Rcvd: Dec 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 29, 2017.

db +Pearl M. Speaks, 1911 W. Sparks Street, Philadelphia, PA 19141-1303
 cr Capital One Auto Finance c/o AIS Portfolio Service, P.O. BOX 4360, Houston, TX 77210-4360

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: bankruptcy@phila.gov Dec 28 2017 00:54:54 City of Philadelphia,
 City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor,
 Philadelphia, PA 19102-1595

smg E-mail/Text: RVSVCBICNOTICE1@state.pa.us Dec 28 2017 00:54:44
 Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,
 Harrisburg, PA 17128-0946

smg +E-mail/Text: usapae.bankruptcynotices@usdoj.gov Dec 28 2017 00:54:52 U.S. Attorney Office,
 c/o Virginia Powel, Esq., Room 1250, 615 Chestnut Street, Philadelphia, PA 19106-4404

cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Dec 28 2017 00:55:10
 Capital One Auto Finance, P.O. Box 201347, Arlington, TX 76006-1347

TOTAL: 4

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 29, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 27, 2017 at the address(es) listed below:

JASON BRETT SCHWARTZ on behalf of Creditor Capital One Auto Finance

jschwartz@mesterschwartz.com, jottinger@mesterschwartz.com

JOSHUA ISAAC GOLDMAN on behalf of Creditor MTGLQ INVESTORS, L.P. bkgroup@kmlawgroup.com,
 bkgroup@kmlawgroup.com

MARK MATTHEW BILLION on behalf of Debtor Pearl M. Speaks markbillion@billionlaw.com,
 mmb21167@fastpacer.us

THOMAS I. PULEO on behalf of Creditor MTGLQ INVESTORS, L.P. tpuleo@kmlawgroup.com,
 bkgroup@kmlawgroup.com

United States Trustee USTPRegion03.PH.ECF@usdoj.gov

WILLIAM C. MILLER, Esq. ecfemails@ph13trustee.com, philaecf@gmail.com

TOTAL: 6

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:)	CASE NO. : 15-17899-ELF
)	
PEARL M. SPEAKS,)	
)	
Debtor	)	CHAPTER 13
)	
CAPITAL ONE AUTO FINANCE)	
A DIVISION OF CAPITAL ONE N.A.	)	<u>HEARING DATE:</u>
Movant	)	Tuesday, October 10, 2017
vs.	)	9:30 a.m.
)	
PEARL M. SPEAKS,	)	<u>LOCATION:</u>
	)	U.S. Bankruptcy Court
Respondent	)	Robert N.C. Nix Federal Courthouse
and	)	Courtroom #1
WILLIAM C. MILLER,	)	900 Market Street
Trustee	)	Philadelphia, PA 19107

STIPULATION

COME NOW, this day of , 2017, *Pearl M. Speaks*, through Debtor's attorney, *Mark Matthew Billion, Esquire* and *Capital One Auto Finance, a Division of Capital One N.A.*, ("COAF") by and through its attorneys, Mester & Schwartz, P.C., hereby stipulate the following terms of settlement of the Motion for Relief:

WHEREAS the Debtors own a 2016 MITSUBISHI Outlander Utility 4D ES 2WD I4, V.I.N. JA4AD2A38GZ008103 ("Vehicle"); and

WHEREAS COAF filed a Motion for Relief ("Motion") with respect to missed post-petition payments; and

WHEREAS the Debtor and COAF seek to resolve the Motion; it is hereby stipulated and agreed that:

1. The Debtor are delinquent post-petition in the amount of \$1,423.84, plus \$481.00 in attorneys fees and costs as of November 6, 2017.
2. The post-petition delinquency of \$1,904.84 shall be included in the Amended Plan.
3. Thereafter, Debtor agrees to pay the November 9, 2017 in the amount of \$576.12 by November 15, 2017.
3. Thereafter, the Debtor shall remain current with regular monthly payments in the

amount of \$576.12, beginning with the payment due on December 9, 2017 and due on the 9th of each month thereafter.

4. If Debtor shall fail to make to ongoing regular monthly payments or the arrears payment or fail to amend her plan consistent with this agreement and Debtor fail to cure said default within ten (10) days after notice by COAF (or its counsel) of said default, counsel for COAF may file a Certification of Default with the Court setting forth Debtor's default and COAF shall be granted immediate relief from the automatic stay provisions of Section 362 of the Bankruptcy Code (11 U.S.C. § 362), and COAF is then also free to proceed with exercising its rights and remedies as may be allowed under State and Federal law without regard to any future conversion of this matter to a different form of bankruptcy. The Debtor shall be allowed to default and cure such default under this Stipulation one (1) time. Should the Debtor default a second (2nd) time, notice of the default will be served, but the Debtor will not be granted an opportunity to cure the default and COAF may file a Certification of Default.

5. In the event Debtor convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtor shall pay all pre-petition arrears and post-petition arrears due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtor fail to make payment in accordance with this paragraph, then COAF, through counsel, may file a Certification of Default setting forth said failure and COAF shall be granted immediate relief from the automatic stay provisions of Section 362 of the Bankruptcy Code (11 U.S.C. § 362) and COAF is then also free to proceed with exercising its rights and remedies as may be allowed under State and Federal law.

6. The failure by COAF, at any time, to issue a Notice of Default or file a Certification of Default upon default by the Debtor shall not be construed, nor shall such failure act, as a waiver of any of COAF's rights hereunder.

7. This Stipulation is a supplement and in addition to the Contract between the parties and not in lieu thereof.


8. Facsimile signatures shall be accorded the same force and effect as an original signature, and may be submitted to the Court.

9. It is further Ordered that the fourteen (14) day stay provided by Rule 4001(a)(3) is hereby waived.

BY THE COURT:

Eric L. Frank
U.S. BANKRUPTCY JUDGE

Capital One Auto Finance,
a Division of Capital One N.A.
By Counsel: Mester & Schwartz, P.C.

By: 


Jason Brett Schwartz, Esquire
Mester & Schwartz, P.C.
1333 Race Street
Philadelphia, PA 19107
(267) 909-9036

DATED: 12/22/17

Seen and agreed to -- We hereby consent to the form and entry of the foregoing Order.

Debtor: Pearl Speaks

By Counsel for Debtor: Mark Matthew Billion, Esquire

By: 

Mark Matthew Billion, Esquire
Billion Law
922 New Road
Suite 2
Wilmington, DE 19805
(302) 428-9400

DATED: 12/18/17

ORDER

The foregoing Stipulation is **APPROVED**.

Date: 12/27/17



ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE